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Services

Energy & Natural Resources

Energy Litigation

Energy Regulation & Permitting

Condemnation & Eminent Domain

Real Estate Litigation

Renewable Energy

Lisa is a regulatory attorney who represents utilities, independent power producers and transmission companies throughout the Midwest. She works collaboratively with clients to obtain necessary permits for large infrastructure projects and to resolve disputes relating to local land use issues, tariffs and property rights.

Lisa represents utilities and independent power producers seeking approvals from local government entities, state commissions and federal agencies to construct new facilities. She has acted as lead regulatory counsel for high voltage transmission projects, including five Multi-Value Projects, located in Minnesota, North Dakota, South Dakota, Iowa and Wisconsin and obtained approvals for more than 1,000 miles of new 345 kV interstate electric lines, including MVPs and a Market Efficiency Project. Lisa is assisting multiple independent power producers in obtaining local and state permits for more than 1,000 megawatts of wind generation in South Dakota, Iowa and Minnesota. She has transmission line NEPA experience with the Rural Utilities Service and the United States Fish and Wildlife Service and has obtained state public utility status in Wisconsin for a new market entrant. She also supports utilities in meeting their compliance obligations before state commissions, federal agencies and local government units. In addition, she regularly advises on vegetation management requirements, utility relocation and easement disputes.

Lisa concentrates a portion of her practice on real estate litigation and local land use matters. She has represented utility, housing and redevelopment, individual and municipal clients in condemnation matters, and has also assisted clients with mortgage foreclosures, title insurance claims, partition actions, adverse possession and commercial lease disputes. Lisa has also successfully represented landowner groups in Minnesota and Wisconsin on trespass and nuisance claims.

Prior to attending law school, Lisa was a newspaper reporter in California and Kansas.

Lisa received her Doctorate of Business Administration at Metropolitan State University in August 2016. The title of her dissertation was "Evaluating Minnesota Courts' Business Case Processing Efficiency: Does Money Matter?" Lisa's hobbies include playing hockey, making pottery and shark diving.

Experience

Regulatory Permitting

Minnesota

- **Application of Freeborn Wind Energy LLC for a Large Wind Energy Conversion System Site Permit for the 84 MW Freeborn Wind Farm in Freeborn County:** Order Granting Request to Transfer Site and Route Permits, Docket No.: IP-6946/WS-17-410 (Oct. 22, 2019).
- **Application of Freeborn Wind Energy LLC for a Route Permit for the 161 kV Freeborn Wind Farm Transmission Line and Associated Facilities in Freeborn County:** Order Granting Request to Transfer Site and Route Permits, Docket No.: IP-6946/TL-17-322 (Oct. 22, 2019).
- **Application of Xcel Energy and ITC Midwest LLC for a Certificate of Need for the Huntley-Wilmarth 345 kV Transmission Line Project:** Order Finding Environmental Impact Statement Adequate, Granting Certificate of Need, Issuing Route Permit, and Requiring Additional Analysis, Docket No.: E-002, ET-6675/CN-17-184 (Aug. 5, 2019).
- **Application of Xcel Energy and ITC Midwest LLC for a Route Permit for the Huntley-Wilmarth 345 kV Transmission Line Project:** Order Finding Environmental Impact Statement Adequate, Granting Certificate of Need, Issuing Route Permit, and Requiring Additional Analysis, Docket No.: E-002, ET-6675/TL-17-185 (Aug. 5, 2019).
- **Route Permit Application by Northern States Power Company for the Black Dog to Savage 115 kV Transmission Line Project in Dakota County:** Order Issuing Route Permit, Docket No.: E-002/TL-11-795, (May 3, 2013).
- **Xcel Energy's Application for a Route Permit for the CapX 2020 Hampton-Rochester-La Crosse High Voltage Transmission Line:** Order Issuing Route Permit as Amended, Docket No.: E-002/TL-09-1448 (May 30, 2012).
- **Application of Northern States Power Company for High Voltage Transmission Line Route Permit for the Hiawatha 115 kV Transmission Project:** Order Issuing Route Permit as Amended, Docket No.: E-002/TL-09-38 (Feb. 10, 2012).
- **Application of Northern States Power Company for a Certificate of Need for Two 115 kV High Voltage Transmission Lines in the Midtown Area of South Minneapolis:** Order Granting Certificate of Need, Docket No.: E-002/CN-10-694 (Feb. 10, 2012).
- **Application for a Route Permit for the Fargo to St. Cloud 345 kV Transmission Line Project:** Findings of Fact, Conclusion of Law, and Order Issuing an HVTL Route Permit to Xcel Energy and Great River Energy, Docket No.: E002, ET2/TL-09-1056 (June 24, 2011).
- **Route Permit Application for a 345 kV Transmission Line from Brookings County, South Dakota to Hampton, Minnesota:** Order Granting Route Permit,

Docket No.: ET-2/TL-08-1474 (Sept. 14, 2010).

- **Application for a Route Permit for the Monticello to St. Cloud 345 kV Transmission Line Project:** Findings of Fact, Conclusions of Law, and Order Issuing an HVTL Route Permit to Xcel Energy and Great River Energy Docket No.: E002, ET2/TL-09-246 (July 12, 2010).
- **Application of Xcel Energy for a Route Permit for the Mary Lake 115 kV Transmission Project:** Findings of Fact, Conclusions of Law and Order Issuing a Route Permit to Xcel Energy for the Mary Lake 115 kV Transmission Line Project, Docket No.: E-002/TL-07-1365 (Sept. 17, 2008).
- **Application of Xcel Energy for a Route Permit Application for the Yankee Substation to Brookings County Substation 115 kV High Voltage Transmission Line Project:** Findings of Fact, Conclusions of Law and Order Issuing a Route Permit to Xcel Energy for the Yankee Substation 115 Kilovolt High Voltage Transmission Line Project, Docket No.: E002/TL-07-1626 (Aug. 12, 2008).
- **Application for Certificate of Need for Three 115 kV Transmission Lines in Southwestern Minnesota:** Order Granting Certificates of Need, Docket No.: E-002/CN-06-154 (Sept. 14, 2007).
- **Application of Northern States Power Company d/b/a Xcel Energy for a Pipeline Routing Permit and Partial Exemption from Pipeline Route Selection Procedures Pursuant to Minnesota Rules Chapter 4415:** Order Issuing Pipeline Route Permit, Docket No.: G002/GP-05-1706 (Feb. 27, 2006).
- **Xcel Energy's Application to the Environmental Quality Board for a Route Permit for a Buffalo Ridge-White 115 kV Transmission Line:** Route Permit for Construction of a High Voltage Transmission Line in Lincoln County, Minnesota Issued to Northern States Power Co. d/b/a Xcel Energy, Docket No.: 04-84-TR-XCEL (March 17, 2005).
- **Application of Northern States Power Company (d/b/a Xcel Energy) for a Certificate of Need for a Large Electric Generation Facility:** Order Granting Certificate of Need and Requiring Discussion with the Department, Docket No.: CN-04-76 (June 25, 2004).
- **Application of Northern States Power Company d/b/a Xcel Energy for Certificates of Need for Four Large High Voltage Transmission Line Projects in Southwestern Minnesota:** Order Granting Certificates of Need Subject to Conditions, Docket No.: E-002/CN-01-1958 (March 11, 2003).

Wisconsin

- **Application of Northern States Power Company-Wisconsin for a Certificate of Authority to Construct the Bayfield Second Circuit Transmission Project:** to be Located in Bayfield County, Wisconsin, Docket No. 4220-CE-182, Final Decision (Feb. 7, 2020).
- **Joint Application of American Transmission Company, ITC Midwest LLC, and Dairyland Power Cooperative, for Authority to Construct and Operate a New 345 kV Transmission Line from the Existing Hickory Creek Substation**

in Dubuque County, Iowa: to the Existing Cardinal Substation in Dane County, Wisconsin, to be Known as the Cardinal-Hickory Creek Project, Docket No.: 5-CE-146, Final Decision (Sept. 26, 2019).

- **Joint Application of American Transmission Company LLC and Northern States Power Company-Wisconsin, as Electric Public Utilities, for Authority to Construct and Operate a New Badger-Coulee 345 kV Transmission Line from the La Crosse Area:** in La Crosse County, to the Greater Madison Area in Dane County, Wisconsin, Final Decision, Docket No.: 5-CE-142 (Apr. 23, 2015).
- **Joint Application of Dairyland Power Cooperative, Northern States Power Company-Wisconsin, and Wisconsin Public Power, Inc., for Authority to Construct and Place in Service 345 kV Electric Transmission Lines and Electric Substation Facilities for the CapX Twin Cities-Rochester-La Crosse Project, Located in Buffalo, Trempealeau, and La Crosse Counties, Wisconsin:** Final Decision, Docket No.: 5-CE-136 (May 30, 2012).
- **Application of Northern States Power-Wisconsin to Construct and Operate a 69 kV Transmission Line and Substations to be built in the Towns of Stanton and Star Prairie, St. Croix County: Wisconsin,** Certificate and Order, Final Decision, Docket No.: 4220-CE-172 (Oct. 19, 2010).

Iowa

- **ITC Midwest LLC:** Iowa Utilities Board Docket No. 22386 Order Granting Petition for Electric Franchises and Right of Eminent Domain (May 27, 2020).
- **ITC Midwest LLC:** Iowa Utilities Board Docket Nos.: E-22269 and E-22279, Order Issuing Franchises (Feb. 1, 2018).
- **ITC Midwest LLC:** Iowa Utilities Board Docket Nos.: E-22116, E-22140, E-22141, and E-22142, Order Granting Petitions for Electric Franchises (Dec. 22, 2016).

North Dakota

- **Northern States Power Company Fargo-St. Cloud MN 345 kV Cap-X Transmission Line Siting Application, Findings of Fact, Conclusions of Law and Order:** Docket No.: PU-07-759 (Sept. 12, 2012).

South Dakota

- **Holborn v. Deuel Cnty. Bd. of Adjustment:** 955 N.W. 2d 363 (S.D. 2021) (rejecting claims of bias against two board members who were former project participants).
- **Application of Deuel Harvest Wind Energy LLC for a Permit of a Wind Energy Facility and a 345-kV Transmission Line in Deuel County:** Docket No. EL18-053, Final Decision and Order Granting Permit to Construct Facilities; Notice of Entry (May 30, 2019) (up to 310.1 MW).
- **Application by Prevailing Wind Park, LLC for a Permit of a Wind Energy Facility in Bon Homme County, Charles Mix County and Hutchinson County, South Dakota, for the Prevailing Wind Park Project:** Docket No. EL18-026,

Final Decision and Order Granting Permit to Construct Facilities and Notice of Entry (Nov. 28, 2018) (up to 219.6 MW).

- **Application of Dakota Range I, LLC and Dakota Range II, LLC for a Permit of a Wind Energy Facility in Grant County and Codington County, South Dakota for the Dakota Range Wind Project:** Docket No. EL18-003, Final Decision and Order Granting Permit to Construct Wind Energy Facility, Notice of Entry (July 23, 2018) (up to 302.4 MW).
- **Application by Crocker Wind Farm:** LLC for a Permit of a Wind Energy Facility and a 345 kV Transmission Line in Clark County, South Dakota, for Crocker Wind Farm, Docket No. EL17-055, Final Decision and Order Granting Permit to Construct Facilities and Notice of Entry (June 12, 2018) (up to 400 MW).
- **Deuel Harvest Wind Energy South LLC (200 MW) and Deuel Harvest Wind Energy LLC (300 MW):** Special Exception Permits (Deuel County, 2018).
- **Application of Xcel Energy for a Permit to Construct 6.5 Miles of 115 kV Transmission Line and Associated Modifications to the Brookings Substation:** Decision and Order Approving and Granting to Construct Transmission Facilities, Docket No.: EL08-001 (Feb. 05, 2009).

Representative Energy Law Appellate Matters

- **Freeborn Wind Energy LLC's Application for a Large Wind Energy Conversion Sys. Site Permit for the 84 MW Freeborn Wind Farm in Freeborn Cty.:** No. A19-1195, A20-0947, 2021 WL 1529113 (Minn. Ct. App. Apr. 19, 2021) (rejecting environmental claims and affirming Minnesota Public Utilities Commission).
- **LSP Transmission Holdings, LLC v. Sieben:** 954 F.3d 1018 (8th Cir. 2020), denied, No. 20-641, 2021 WL 769770 (U.S. Mar. 1, 2021) (upholding state right of first refusal for transmission owning incumbents).
- **Driftless Area Land Conservancy v. Huebsch:** 969 F.3d 742 (7th Cir. 2020) (reversing denial of intervention to federal permittees).
- **Hattamer v. N. States Power Co.:** 2015 WI App 75, ¶ 5, 870 N.W.2d 247 (affirming Circuit Court decision on adverse possession claim.)
- **Xcel Energy's Application for Route Permit for CapX 2020 Hampton-Rochester-La Crosse High Voltage Transmission Line:** A12-1632, A12-1607, 2013 WL 2460343 (Minn. Ct. App. June. 10, 2013) (affirming Minnesota Public Utilities Commission's grant of a Route Permit for 345 kV transmission line).
- **City of Oxbow v. North Dakota Public Serv. Comm'n and Northern States Power Co.:** a Minnesota Corporation, File No. 09-2012-CV-03147 (Cass Cnty. Dist. Ct. Order, Dec. 21, 2012) (dismissing appeal of Certificate of Corridor Compatibility and Route Permit for 345 kV line by all but one appellant based on lack of standing).
- **Route Permit for Constr. of a Substation & a High Voltage Transmission Line in Dakota Cnty:** Nos. A05-661, A05-662, 2006 WL 618903 (Minn. Ct. App. 2006) (affirming Environmental Quality Board's grant of Route Permit for 115 kV

transmission line).

- **Consolidated Tel. Coop. v. W. Wireless Corp.:** 2001 ND 209, 637 N.W.2d 699 (2001) (affirming Public Service Commission's ruling that telecommunications provider was not required to obtain a Certificate of Public Convenience and Necessity).

Other Representative Appellate Matters

- **Hempel v. Creek House Trust:** 743 N.W.2d 305 (Minn. Ct. App. 2007); No. A08-1288, 2009 WL 1919612 (Minn. Ct. App. Jul. 7, 2009) (affirming denial of claim of right of first refusal based on expiration of statute of limitations).
- **Serier v. Central St. Croix Rod and Gun Club, Inc.:** 2009 WI App 128, 321 Wis. 2d 241, 773 N.W.2d 226 (Table), No. 2008AP2550 2009 WL 2151820 (Wis. Ct. App. Jul. 21, 2009) (remanding for entry of permanent injunction based on settlement of trespass claims).
- **Airports Comm'n v. Brandon Square III:** No. A06-661, 2007 WL 1322320 (Minn. Ct. App. May 08, 2007) (affirming district court's finding that fee taking for noise mitigation was reasonably necessary).
- **Berne Area Alliance for Quality Living v. Dodge Cnty. Bd. Of Comm'rs:** A05-1780, A05-1672, 2006 WL 2405095 (Minn. Ct. App. Aug. 22, 2006) (affirming county's grant of CUP for hog confinement facility).
- **State v. Menth:** A05-1547, 2006 WL 1984730 (Minn. Ct. App. Jul. 18, 2006) (remanding to trial court for omnibus hearing to determine standing to challenge search Fourth Amendment grounds).
- **Redevelopment Auth. of City of Saint Paul v. ExxonMobil Oil Corp.:** No. A05-551, 2006 WL 997699 (Minn. Ct. App. Apr. 18, 2006) (affirming trial court's finding that taking of property for residential use and elimination of restrictive covenants served a public purpose).
- **Minneapolis Police Relief Ass'n v. Canizo:** A04-1266, 2005 WL 1389323 (Minn. Ct. App. Jun. 14, 2005) (reversing district court's post-judgment joinder of mortgagee and application of collateral estoppel in mortgage foreclosure action).
- **State v. Quitberg:** A03-142, 2004 WL 235539, (Minn. Ct. App. Feb. 10, 2004) (reversing conviction and remanding for new trial based on trial court's failure to obtain explicit and personal waiver of jury trial prior to Lothenbach stipulation).
- **Redevelopment Auth. of St. Paul v. Lambrecht:** 663 N.W.2d 541 (Minn. 2003) (affirming trial court's determination that tenant lacked compensable interest in real estate at time of condemnation based on lease termination provision).
- **State v. Cervantes:** C5-02-391, 2002 WL 31661649 (Minn. Ct. App. Nov. 26, 2002) (reversing conviction based on lack of reasonable articulable suspicion of drug related crime prior to search of vehicle using drug detecting dog).
- **Citizens for a Safe Grant v. Lone Oak Sportsman's Club, Inc.:** 642 N.W.2d 796 (Minn. Ct. App. 2001) (affirming district court's grant of a permanent injunction of gun club based on nuisance, trespass and violation of the Minnesota Environmental Rights Act).

Credentials

Education

- Metropolitan State University, Doctorate of Business Administration
- Washburn University School of Law, J.D., *summa cum laude*
- Wichita State University, M.B.A.
- Northwestern University, M.S.J.
- Santa Clara University, B.A.

Admissions

- Minnesota
- Iowa
- North Dakota
- South Dakota
- Wisconsin
- Michigan
- Montana
- Kansas
- U.S. Supreme Court

Clerkships

- Clerk, Honorable Kathleen A. Blatz, Minnesota State Supreme Court, 1996-1997

Recognition

- *The Best Lawyers in America*, Energy Regulatory Law, 2022-present

Civic & Professional

Professional Activities

- Wisconsin Bar Association, Public Utilities Section Board, Member, Appointed to three-year term July 1, 2019
- Hennepin County Bar Association, Member
- Minnesota State Bar Association
 - Unmarried Couples Task Force—Criminal Law Subcommittee, 2009

- St. Paul Police Civilian Review Commission—Former Member
- Minnesota Supreme Court, Advisory Committee on the Rules of Evidence, Member, 2005-2006, 2015-2017
- *Energy Law Journal*, Reports Editor, 2014-2017
- *Journal of College Teaching and Learning*, Guest Reviewer, 2014
- ALS Association, Minnesota Chapter, Board of Directors, Member, 2002-2005
- Minnesota Public Utilities Commission, *Advisory Committee Member, In re: Amendments to Rules Governing Certificates of Need and Site and Route Permits for Large Electric Power Plants and High Voltage Transmission Lines*, 2013-2014
- Minnesota Supreme Court Gender Fairness Implementation Committee, 1998

News

Firm News | 10.20.2022

Fredrikson & Byron Announces Results of 2022 Board Elections

Legal Updates

Legal Update | 02.12.2021

South Dakota Supreme Court Opinion Will Guide Local Zoning Decision-Making Throughout the State

Publications & Presentations

Panelist, *Policy & the Next Regional Buildout*, Finding True North: A Regional Dialogue About Delivering Tomorrow's Energy, Grid North Partners Virtual Conference, June 16, 2021

Presenter, *Environmental Update*, Wisconsin Public Utility Institute's Public Utilities Law Update 2021, March 3, 2021

Panelist, *Timely Permitting Concerns*, Wildlife & Energy Interaction Symposium, July 18, 2019

Panelist, *Federal Laws, Regulations, and Programs Affecting Local Land Use Decision Making*, Land Use Institute CLE, Detroit, Michigan, April 20, 2018

Presenter, *Transmission Line Siting —Local vs. State Control. Is There a Federal Role?*, Land Use Institute CLE, Miami, Florida, February 1-2, 2017

Co-Presenter, *Permitting and Approvals for Linear Energy Transmission and Pipeline Projects*, American Law Institute CLE—Eminent Domain & Land Valuation Litigation, San Diego, California, January 26, 2017

Panelist, *Moving People, Water and Energy Through Your Property: Eminent Domain and Infrastructure Construction*, ABA Annual Meeting—Section of State and Local Government Law, San Francisco, CA, August 2016

Co-Author, "The Economics of Justice", Defense Research Institute (DRI), July 28, 2014